

# Notice of Allowability

Application No.

10/616,313

Examiner

Thuy V. Tran

Applicant(s)

GAUNA, KEVIN WAYNE

Art Unit

2821

## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment submitted on 12/09/2004 & Telephone Interview held 02/08/2005.
2. ☒ The allowed claim(s) is/are 1-21.
3. ☒ The drawings filed on 09 December 2004 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

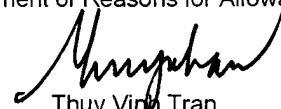
\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

### Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413),  
Paper No./Mail Date 020905.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_.



Thuy Vinh Tran  
Primary Examiner  
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### **DETAILED ACTION**

This is a response to the Applicant's amendment submitted on 12/09/2004 and the telephone interview on 02/08/2005. In virtue of this amendment, claims 18-21 are newly added; and thus, claims 1-21 are now presented in the instant application.

#### ***Examiner's Amendment***

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Joseph R. Milner (Reg. No. 42,896) on 02/08/2005. The Examiner's Amendment includes:

*Claim 18, line 7, change "incandescent lamp" to --A-lamp-- ;*

*Claim 18, line 8, change "incandescent lamp" to --A-lamp-- ;*

*Claim 19, line 2, delete "further";*

*Claim 20, line 2, delete "further"; and*

*Claim 21, line 2, delete "further".*

#### ***Allowable Subject Matter***

2. Claims 1-21 are allowed.

#### ***Reasons for Allowance***

3. The following is an examiner's statement of reasons for allowance:

Prior art fails to disclose or fairly suggest:

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- A dual LED and incandescent security lighting system comprising a control system connected to the darkness sensor and the motion sensor and to the LED illuminator and the incandescent lamp for turning on the LED illuminator when darkness is detected and for then turning on the incandescent lamp when motion is detected, in combination with the remaining claimed limitations as called for in independent claim 1 (claims 2-17 are allowed since they are dependent on claim 1); and
- A dual LED and security lighting system comprising a control system connected to the darkness sensor and the motion sensor and to the LED illuminator and the A-lamp for turning on the LED illuminator when darkness is detected and for then turning on the A-lamp when motion is detected, in combination with the remaining claimed limitations as called for in independent claim 18 (claims 19-21 are allowed since they are dependent on claim 18).

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

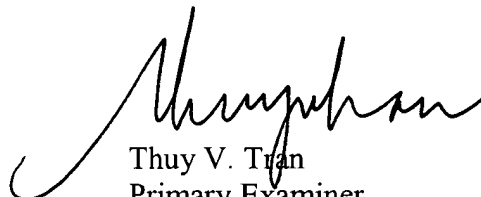
### ***Inquiry***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thuy V. Tran whose telephone number is (571) 272-1828. The examiner can normally be reached on M-F (8:00 AM -5:00 PM).

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Don Wong can be reached on (571) 272-1834. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Thuy V. Tran  
Primary Examiner  
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02/09/2005